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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
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Item 4 of the provisional agenda
Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues in relation to the combined fifth and sixth periodic reports of Estonia

Access to justice and legal complaint mechanisms

1. Please provide information on any instances in which the Convention has been invoked, directly applied or referred to in court proceedings, and on the utilization by women of remedies for violations of their rights, including judicial procedures and recourse to the Chancellor of Justice and the Gender Equality and Equal Treatment Commissioner, in the State party. Please provide updated data on the number, regional distribution and outcome of complaints concerning gender equality and sex-based discrimination received by the Gender Equality and Equal Treatment Commissioner, the Office of the Chancellor of Justice and labour dispute committees and courts, indicating whether any redress has been provided to victims in cases in which a violation was found to have been committed. Please also provide information on cases received by the Labour Inspectorate in which applicants alleged discrimination based on their becoming parents or having small children.

2. Please indicate whether training activities on women's rights under the national, regional and international legislative frameworks are regularly provided to judges, prosecutors, lawyers and other members of the legal profession and whether an assessment of the impact of such training has been conducted. Please indicate how the State party is enhancing the awareness and knowledge of women, in particular those belonging to disadvantaged groups, such as women in rural areas, migrant women, Roma women and asylum-seeking and refugee women, about their rights under the Convention and the related national legislation.

3. Please provide information on the human and financial resources provided to the Gender Equality and Equal Treatment Commissioner since 2012. Please explain

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what steps have been taken to ensure the effectiveness of, and avoid the overlapping of competence between, the Chancellor of Justice and the Gender Equality and Equal Treatment Commissioner in dealing with discrimination complaints. Please provide information on steps taken, if any, towards the establishment of an independent national human rights institution compliant with the Paris Principles.

National machinery and gender mainstreaming

4. Please provide information on the results of the work of the Gender Mainstreaming Working Group and the Gender Equality Council, as well as the results of projects carried out by State agencies and non-governmental organizations concerning gender budgeting and gender mainstreaming in municipalities (paras. 42 and 43).[1]

Temporary special measures

5. Please inform the Committee about any temporary special measures adopted in the State party as provided for in article 4 (1) of the Convention, in the Committee's general recommendation No. 25 (2004) and in the Gender Equality Act. Has the State party conducted any awareness-raising among parliamentarians, government officials, employers and the general public about the necessity and time-bound nature of temporary special measures?

Stereotypes

6. Please provide information on the comparative results of the gender equality monitoring surveys conducted in 2009 and 2013 and specific examples of how those results have been used in the development of policy measures to reduce gender inequalities, including with respect to common responsibilities in the upbringing of children and the sharing of parental leave (paras. 54 and 58-61) as well as the educational choices of boys and girls. Please explain what mechanisms exist for monitoring the regulations concerning gender equality enshrined in the New Advertising Act (2008) and how those regulations are enforced (para. 55). Please provide information on the wide-scale awareness-raising campaigns conducted in 2010 and 2013 to address gender stereotypes as well as on their results (para. 57). Please also provide information on measures taken to address stereotyping in the media and on the role of the media in preventing stereotyping.

7. Given that a study carried out in 2011 showed that teachers' views concerning, inter alia, the behaviour, needs and capabilities of male and female pupils are rather stereotypical and that an analysis of citizenship and history books revealed continuous unequal representation of men and women and the persistence of gender stereotypes (paras. 149 and 150), please provide information on the measures undertaken to address that situation.

Violence against women

8. Please provide information on steps taken towards the drafting of a law on all forms of violence against women, including a specific law on domestic violence, as repeatedly recommended by the Committee. Given the extremely low numbers of

[1] Unless otherwise indicated, paragraph numbers refer to the combined fifth and sixth periodic reports of the State party.

women victims of domestic violence turning to the police (9 per cent), the courts (7 per cent), local social services (12 per cent) and victim support services (6 per cent) (para. 65), is the State party considering the introduction of ex officio prosecution for domestic violence? Please provide updated disaggregated data on cases of domestic violence, including the number of prosecutions, convictions and sentences imposed on perpetrators and the redress provided to victims, including compensation received, inter alia, as well as information on steps taken to improve data collection in that regard.

9. Please provide information on steps taken to address the shortage of adequate support services, including specialized personnel, for victims of violence and the shortage of research on the prevalence, causes and consequences of violence against women (para. 76). Please also provide information on progress made towards the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and inform the Committee about the results achieved under the development plan for reducing violence for the period 2010-2014 (paras. 77 and 78), as well as about the implementation of the strategy for the prevention of violence for the period 2015-2020. Please provide detailed information about prevention, awareness-raising and training programmes addressing violence against women for various stakeholders and target groups and about the results of those programmes (paras. 82-84).

Trafficking and sexual exploitation

10. Please provide information on the results achieved under the national development plan for combating trafficking in human beings for the period 2010-2014. Please provide updated information, disaggregated by sex, age and nationality, on the number of reported cases of trafficking in persons, as well as information on prosecutions, convictions and sentences imposed on perpetrators and on the support and assistance programmes, including victim identification programmes, that are available for victims of trafficking. Please inform the Committee about measures taken to ensure that the asylum claims of victims of trafficking are fairly and appropriately examined, as well as about measures adopted to protect and support victims who cannot return to their countries of origin out of fear of persecution.

11. Please provide updated information on the prevalence of prostitution in the State party and on measures taken to prevent the sexual exploitation of women and girls. Please describe existing mechanisms for protecting women in prostitution, raising awareness of the health and safety risks of prostitution, ensuring the social reintegration of women and girls in prostitution and discouraging demand among males for prostitution.

Participation in political and public life

12. Please provide updated data on the number of women in decision-making positions, including in municipal councils and as mayors, as well as on the representation of women in the civil and diplomatic service and the judiciary. Since it is stated in the combined fifth and sixth periodic reports of the State party (CEDAW/C/EST/5-6) that the position of women on candidate lists is one of the main impediments to their election to public office (paras. 113-115), please describe the measures undertaken to overcome that obstacle. Given that no legislative

measures are planned to set quantitative targets to increase the proportion of women in politics or in decision-making positions in the private sector, and that popular support for any such measures is low (para. 52), what steps have been taken to raise awareness in that regard? Given that only 2 of the 19 judges serving on the Supreme Court are women and that men continue to hold the vast majority of leadership positions in institutions involved in the review of constitutionality and legality (paras. 124 and 125), please explain what measures have been undertaken to improve women's representation in those institutions.

13. With reference to the Committee's general recommendation No. 30 (2010), please inform the Committee about the results achieved under the national action plan for the implementation of Security Council resolution 1325 (2000) for the period 2010-2014 (paras. 31 and 32).

Employment

14. Please elaborate further on the efforts, including any temporary special measures, being made to address the continued horizontal and vertical gender segregation of the labour market and on their results, given that 75 per cent of the high-skilled workers in the field of elementary education in the State party are women. Please provide updated data on the proportion of women among academic staff, and indicate what measures have been undertaken to increase that proportion. It is noted in the combined reports that difficulties were encountered during the reporting period in the collection of data on the gender pay gap until 2011 and that a new concept for the collection of such data is being developed (para. 185). In that regard, please provide updated statistics on the gender pay gap since 2011 and inform the Committee about the methodological progress made in their collection.

15. Please inform the Committee about the results achieved since 2012 under the action plan to reduce the gender pay gap, given that women in the State party still earn on average 30 per cent less than men, despite the fact that the average level of education is higher for women. It is indicated in the combined reports that the gender pay gap is the highest between women and men holding doctoral degrees and that it increased between 2006 and 2011 (para. 187). Please inform the Committee about efforts made to address that situation, including the consideration of temporary special measures. Notwithstanding the Committee's previous recommendation to decrease and narrow the wage gap between women and men by applying job evaluation schemes in the public sector connected with wage increases in sectors dominated by women, it is indicated in the combined reports that lower wages still prevail in sectors dominated by women (para. 188). Please specify what measures have been taken to implement the Committee's recommendation.

16. Please provide information on the monitoring of the implementation of the Employment Contracts Act since 2009 and on sanctions against employers who do not guarantee equal pay and benefits for women and men. Please provide data on cases filed during the reporting period regarding discrimination against women in the workplace, including wage discrimination and sexual harassment, and on their outcomes. Please provide updated data on the percentage of men making use of paternity leave, childcare leave and flexible work arrangements, indicating whether the State party has developed incentives to promote the use of childcare leave by

men and whether steps have been taken to increase the number of childcare facilities available in the State party.

Nationality

17. Please provide updated data disaggregated by sex and age on the number of persons with undetermined citizenship since 2011 as well as information on measures taken to promote the integration and naturalization of women with undetermined citizenship. Is the State party considering further amending the Citizenship Act (1995) to extend the granting of citizenship to include stateless children who are between 15 and 18 years of age as of 1 January 2016, children born to stateless parents who have not legally resided in Estonia for the past five years, and children born to parents who have a nationality but are unable to transmit their citizenship to the child because of a conflict of nationality laws?

Health

18. Please inform the Committee about measures taken to improve access to medical services for women, including disabled women, especially in rural areas, and to decrease the waiting time for an appointment with a general practitioner as well as a specialist (para. 218). Given that the proportion of women among newly discovered HIV cases is increasing, please indicate whether the access to medical services for such patients is also affected by long waiting times and provide information on the availability and affordability of antiretroviral medication and psychosocial services for women living with HIV/AIDS and their children. Please inform the Committee how reproductive health, responsible parenthood and the prevention of sexually transmitted diseases have been integrated into basic school and upper secondary school curricula.

Disadvantaged groups of women

19. Please provide data and information on the situation of disadvantaged groups of women, such as women with disabilities, ethnic minorities, including Roma women, lesbian, bisexual, transgender and intersex women, migrant, asylum-seeking and refugee women and older women, notably with regard to any discrimination experienced in gaining access to education, employment, health care and adequate housing. Please inform the Committee about measures taken to prevent sexual and gender-based violence against single women asylum seekers, including through the provision of appropriate accommodation, and about mechanisms in place to identify asylum-seeking women survivors of sexual and gender-based violence and to provide them with psychological, medical and legal support.

Marriage and family relations

20. Please provide information on whether the State party envisages raising the legal age of marriage to 18 years in all circumstances in accordance with the Committee's previous recommendation. Please also provide information on the provisions of the Cohabitation Act (2014) and on other steps taken to implement the Committee's previous recommendation to ensure the same protection of women's rights in marriages and in de facto unions. Please provide information about the progress made in removing the infringement of the rights of people in de facto

unions regarding opportunities for living together and spending time together at immigration detention centres, as recommended by the Chancellor of Justice in 2014 and 2015.

Optional Protocol and amendment to article 20 (1)

21. Please indicate any progress made towards the ratification of the Optional Protocol to the Convention and the acceptance of the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.